

UNITED STATES OF AMERICA  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
vs.	)	CRIMINAL NO.: 04-1674-CBS
	)	
	)	
PHAYKHAM PHRACHANHSIRI	)	

**MOTION TO CONTINUE**

Now comes the defendant in the above matter and respectfully moves this Honorable Court to continue the Identity/Detention hearing scheduled for May 10, 2004 to a date in approximately 3 weeks, or during the first week of June.

As grounds, counsel for the defendant says that he is still in the process of determining whether the defendant will contest his identity and detention or whether he will enter into an agreement to change his plea in this jurisdiction. Counsel has had discussions with the Assistant US Attorney from Texas who is prosecuting this matter. The discussions have been fruitful, however counsel has not been able to further discuss this matter with the US Attorney in Texas, in the last week. It is imperative that counsel have another opportunity to try to resolve all issues while in the status quo. The defendant is in custody and assents to this request for further time to consider his alternatives.

Counsel does not expect to request any further continuation of this matter.

The Government has assented to this Motion.

Respectfully Submitted,  
PHAYKHAM PHRACHANHSIRI,  
By His Attorney,

/s/ Peter L. Ettenberg  
Peter L. Ettenberg, Esquire  
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**CERTIFICATE OF SERVICE**

I, Peter L. Ettenberg, hereby certify that I have served the within Motion by facsimile/electronically and regular mail, of a copy thereof to all counsel of record.

Dated: May 7, 2004

/s/ Peter L. Ettenberg  
Peter L. Ettenberg